



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

*This meeting will be televised live on CCM Channels  
Comcast 6, RCN 6, and Verizon 30; repeated on 11/28/08 at 7 pm*

**Tuesday, November 25, 2008**

- (1) 8:30 - 9:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Foster)
- (2) 9:30-10:00 **BRIEFING** - District of Columbia Water and Sewer Authority (WASA) (Levchenko)  
(6th floor Council Conference Room)
- 10:15 **INVOCATION** - Father Grant Gaskin, St. Bartholomew Church, Bethesda
- 10:20 **GENERAL BUSINESS** (Lauer)
- (3) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes: October 28, 2008
- (4) 10:25 **CONSENT CALENDAR**
- A. **Introduction** - End-of-Year Transfer for FY08 County Government Operating Budget (Sherer)  
*Action is tentatively scheduled for 12/9/08.*
- B. **Action** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)  
*ED Committee recommendation will be available 11/24/08.*
- C. **Action** - Resolution to establish Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (Ferber)
- D. **Receipt and Release** - Office of Legislative Oversight Report 2009-4, Cost and Performance of Montgomery County Public Schools' High School Consortia (Bonner-Tompkins/Latham)  
*ED Committee worksession tentatively scheduled for 12/8/08.*
- E. **Action** - HHS Committee report and recommendations on OLO Report 2009-1, The Department of Health and Human Services' Contract Execution and Monitoring Process (Richards/Latham)

(4) 10:25 **CONSENT CALENDAR** *(continued)*

- F. **Action** - Confirmation of County Executive's appointee for Assistant Chief of Police, Department of Police: Wayne M. Jerman (Ferber)
- G. **Action** - Confirmation of County Executive appointment to the Adult Public Guardianship Review Board: Maura Quinn Solomon (Ferber)
- H. **Action** - Confirmation of County Executive appointment to the Commission on Health: Fadi Y. Saadeh (Ferber)
- I. **Action** - Confirmation of County Executive appointments to the Commission on Veterans Affairs: Roland R. Kauffman, Norman Locksley, Elizabeth Jane McCarthy, Jonathan B. Walker, Sr., William M. Gray, Peter B. Esker, Lorrie Knight-Major, Mier Wolf, Michael L. Subin, Jerry S. Godwin (Ferber)
- J. **Action** - Confirmation of County Executive appointments to the County-wide Recreation Advisory Board: Noah Grosfeld-Katz, David W. Magill, George J. Tarrico, Ronald F. MacNab (Ferber)
- K. **Action** - Confirmation of County Executive appointment to the East County Citizens Advisory Board: Amjad M. Chaudhry (Ferber)
- L. **Action** - Special appropriation to the County Government's FY09 Operating Budget, Montgomery County Fire and Rescue Service - \$1,595,000 for Electronic Patient Care Reporting (Source: Consolidated Fire Tax District Fund) (Davidson)  
*PS Committee recommendation will be available 11/20/08.*

10:30 **DISTRICT COUNCIL SESSION**

- (5) A. **Action** - Resolution to approve use of Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property for Tilden Woods Stream Valley Park: Mary E. Armstrong Property (Michaelson)
- (6) 10:35 **WORKSESSION** - Limited Amendment to Wheaton Sector Plan (Michaelson)  
*PHED Committee recommends approval with amendments.*
- (7) 10:55 **WORKSESSION** - Amendment to the Master Plan for Historic Preservation: Individual Historic Resources (Zyontz)  
*PHED Committee recommends approval with amendment.*
- (8) 11:15 **WORKSESSION** - Amendment to the Master Plan for Historic Preservation: Damascus-Goshen Resources (Zyontz)  
*PHED Committee recommends approval with amendments.*

12:30 **RECESS**

- (9) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve County Guaranteed Bond Financing Plan for Housing Opportunities Commission: MetroPointe Apartments Development (McMillan)  
*MFP Committee recommendation will be available 11/24/08.*

- (10) 1:45 **INTRODUCTION/SUSPENSION OF RULES/ACTION** - Resolution to approve FY09 Budget Savings Plan (Farber)  
*Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.*

- A. ED Committee report and recommendations (McGuire)
- B. HHS Committee report and recommendations (McMillan)
- C. MFP Committee report and recommendations (Sherer)
- D. PHED Committee report and recommendations (Davidson)
- E. PS Committee report and recommendations (John)
- F. T&E Committee report and recommendations (Orlin)

*Click here for link to Addendum #1 packet to Item #10*

*Click here for link to Addendum #2 packet to Item #10*

2:45 **LEGISLATIVE SESSION Day # 38**

- (11) A. Approval of Legislative Journal: October 28, 2008 (Lauer)  
B. Introduction of Bills  
• **Expedited Bill 36-08**, Personnel - Retirement - Technical Amendments, sponsored by the Council President at the request of the County Executive (Drummer)  
*Public Hearing is scheduled for 12/2/08 at 1:30 pm.*

- (12) C. Call of Bills for Final Reading  
• **Bill 25-08**, Emergency Medical Services Transport Fee - Imposition (Faden/Davidson)

3:30 **CONTINUATION OF MORNING WORKSESSIONS if necessary**

**ADJOURN**

**FUTURE COUNCIL MEETINGS**

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Nov 27, 2008

Dec 2, 2008

Dec 9, 2008

Dec 9, 2008

Dec 15 to Jan 9,  
2009

10:00 am

8:30 am

9:45 am

HOLIDAY

Regular Session

Breakfast Meeting with County Executive

Regular Session

RECESS

**FUTURE PUBLIC HEARINGS**  
**To testify call 240-777-7931**

**Dec 2, 2008**

1:30 pm Budget supplement to the FY09 Operating Budget, WSSC - \$3,330,000 for unbudgeted and/or unplanned expenses

**Dec 9, 2008**

11:30 am Special appropriation to the Revenue Authority's FY09 Capital Budget and Amendment to the FY09-14 CIP - \$14,500,000 for Takoma Park/Silver Spring West Campus Garage

11:30 am **Bill 35-08**, Motor Vehicles and Traffic - Miscellaneous Provisions - Funding for Public Safety Programs

**Jan 13, 2009**

1:30 pm Supplemental appropriation to the County Government's FY09 Capital Budget and amendment to FY09-14 CIP, DTS - \$55,000 for Public Safety Communications System Upgrade and Mod

1:30 pm Amendment to the Master Plan for Historic Preservation: Wild Acres (Grosvenor Estate)



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov). This document is available in alternative formats upon request.

**MONTGOMERY COUNCIL SEEKS APPLICANTS**  
**FOR ONE POSITION ON COUNTY BOARD OF APPEALS**  
**DEADLINE: MONDAY, JANUARY 5, 2009**

The Montgomery County Council is seeking applicants for a partial term on the County Board of Appeals. The term to be filled is currently held by Allison Fultz, who will be resigning effective Jan. 1. Her term expires in Sept. 2011. She also serves as chair of the board.

County law provides that the Council may designate a member of the board for the position of chair. The Council will select a new chair in conjunction with this appointment process.

Applications for the position must be received no later than 12 noon on Monday, Jan. 5. Interviews for this vacancy are tentatively scheduled for Jan. 13.

The position must be filled by a Democrat. Any person appointed to fill a vacancy created other than by the expiration of a term must be of the same political party as the member replaced. By law, no more than three members of the board shall be from the same political party.

Current members of the board, including Chair Fultz (Democrat), are Walter S. Booth (Democrat), David K. Perdue (declined to affiliate), Carolyn Shawaker (Democrat) and Catherine Titus (Republican). Members of County boards, committees and commissions may not serve on more than one such group at a time.

Members of the board receive \$13,802 annually, with the chair receiving \$21,013. Salaries are adjusted annually each December to reflect 50 percent of the change in the Washington Area Consumer Price Index.

Duties of the Board of Appeals include making decisions on most applications for special exceptions as provided in the Zoning Ordinance; hearing and deciding requests for variances from development standards contained in the Zoning Ordinance; and hearing appeals from certain administrative decisions rendered by county government agencies.

The board normally holds weekly hearings all day Wednesday and worksessions every other week. If necessary to accommodate an extended caseload or continued hearings, the board schedules hearings on other weekdays. Members are expected to prepare for the hearings by reading the cases to be heard and to share the workload of drafting and editing opinions or to follow-up on investigations on specific cases. Members work approximately 15-25 hours a week.

The principal jurisdiction of the Board of Appeals (concerning special exceptions and variances under the Zoning Ordinance) does not include the municipalities of Barnesville, Brookeville, Gaithersburg, Laytonsville, Poolesville, Rockville and Washington Grove. The normal Council practice is not to appoint residents of those municipalities to the board.

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Michael J. Knapp, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850. Applications must be received no later than 12 noon on Monday, Jan. 5. It is the Council's policy not to consider applications received after the deadline. After the Jan. 5 deadline, Councilmembers will review the letters of application and select applicants for interviews.

Letters of application are made public as part of the appointment process. The names of all applicants are published and made available for public review. Interviews are open to the public. A financial statement of assets, debts, income and family property interests will be required of all applicants. Only the appointed candidates will be required to make the financial statement available to the public.

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**For information:** Justina Ferber, Legislative Analyst, 240-777-7938



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### ADDENDUM

**Tuesday, November 25, 2008**

#### 10:30 DISTRICT COUNCIL SESSION

**Add: (5.1)**

**B. Reconsideration/Amendment/Readoption - Zoning Text Amendment 08-14,**  
Transit Mixed-use Zone (TMX) - establishment (Zyontz)